



HUNTER MARINE TERMINAL, LLC

MATERIAL SALES AND BARGE LOADING/UNLOADING FACILITY

P.O. Box 90025 • NASHVILLE, TENNESSEE 37209 • TEL 615 - 352-6935
FAX 615 - 356-5168

June 3, 2009

Attn: Ms. Joyce Fry
Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Division of Water
200 Fair Oaks Lane
Frankfort, KY 40601

Dear Ms. Fry:

Enclosed is an application and related documents for a water quality certification pursuant to Section 401 of the Clean Water Act for a proposed commercial sand and gravel dredging operation on the Ohio River. We are simultaneously submitting a similar request to the U.S. Army Corps of Engineers, Louisville District, for approval under its General Permit No. 32.

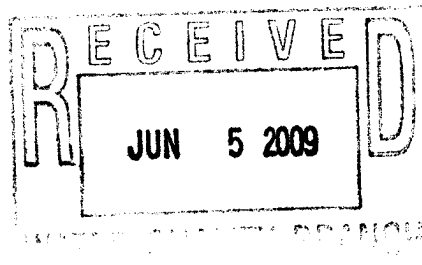
Hunter Marine Transport, Inc. has been in the river transport and towing business since 1976, operating primarily on the Cumberland, Tennessee and Ohio River systems. Our home office is located in Nashville, TN. and we operate and maintain a river terminal facility at mile 175.3, left bank, on the Cumberland River. In addition, we have recently opened a new marine operations office in Paducah, Ky. which, along with this application, represents our intent to expand our operations on the Ohio River within the Commonwealth of Kentucky.

We had previously received approvals under GP 32 (GP-032-1035) and the required water quality certification in 2001 (copies enclosed). However due to economic reasons and other business considerations, no actual dredging was performed by Hunter Marine under authority of this permit and the approval expired with the expiration of GP 32 in 2005. Based on the recent opening of the new Paducah, Ky. Operations office, as stated above, we wish to again pursue sand and gravel dredging operations on the Ohio River within the Commonwealth as part of our overall inland waterway operations. We also previously developed agreements with Livingston and McCracken Counties and the Kentucky Revenue Cabinet (copies enclosed) with regard to payment of certain revenues in the form of royalties and/or taxes for the extraction of sand and gravel from the Ohio River. These agreements are still in effect and remain valid. This is our commitment to honor and fully comply with these agreements prior to commencement of any dredging operations.

If you have any questions or require any additional information please contact me personally, Mr. Glen Hendon of my office or Mr. Joseph R. Castleman, our engineering consultant at the telephone numbers and addresses provided. We appreciate your assistance in this matter and look forward to working with you in this regulatory process.

Sincerely,


James R. Hunter
President



Member
AWO

Member
NWC

Application for Water Quality Certification

DBP5016

DIVISION OF WATER WATER QUALITY BRANCH

14 Reilly Rd.
Frankfort, KY 40601
502/564-3410

Please read carefully and complete by printing in ink or typing.

APPLICANT NAME: <i>Hunter Marine Transport, Inc.</i>			AGENT NAME: <i>Joseph R. Castleman</i>		
CORPORATE NAME: <i>Hunter Marine Transport, Inc.</i>			ENGINEER CONSULTANT (USACE Ret.)		
ADDRESS: <i>P.O. Box 90025</i>			ADDRESS: <i>918 Isaac Franklin Dr.</i>		
CITY: <i>Nashville</i>	STATE: <i>Tn.</i>	ZIP CODE: <i>37209</i>	CITY: <i>Gallatin</i>	STATE: <i>Tn.</i>	ZIP CODE: <i>37066</i>
TELEPHONE NUMBER: <i>(615) 352-6935</i>			TELEPHONE NUMBER: <i>(615) 452-0540</i>		
FAX NUMBER: <i>(615) 356-5168</i>			FAX NUMBER: <i>(615) 554-1315</i>		

PROJECT INFORMATION:

Hunter Marine Transport Commercial Sand and Gravel Dredge
(See attached navigation charts and river mile listings)
Attach vicinity map and a copy of U.S.G.S. 7.5 minute topographic map clearly showing project location.

COUNTY: <i>Livingston and McCracken</i>	LOCATION DESCRIPTION: <i>Various locations from Mile 924.0 to</i>
TOWN: <i>N/A</i>	<i>Mile 956.0 Ohio River. Requested areas are</i>
U.S.G.S. 7.5' QUAD NAME: <i>See attached COE Navigation Charts</i>	<i>within project pools of L&D Nos. 52 and 53</i>
WATERSHED NAME: <i>Ohio River</i>	LATITUDE: <i>See attached river mile listings and</i> LONGITUDE: <i>Ohio River navigation charts.</i>
WATERSHED SIZE (sq. miles) above proposed Project area: <i>Upstream from Mile 956.0</i>	ACREAGE OF WETLANDS IMPACTED: <i>N/A</i>
AVERAGE ANNUAL FLOW OF STREAM:	ACREAGE OF WETLAND DELINEATION:
BEGINNING STREAM MILEPOINT: <i>924.0</i> <i>Not continuous</i>	COWARDIN CLASSIFICATION:
ENDING STREAM MILEPOINT: <i>956.0</i> <i>15 river miles ±</i>	WETLAND FUNCTIONS:
LINEAR FEET OF STREAM IMPACTED: <i>75,000 lin. ft.</i>	

DESCRIBE PROPOSED ACTIVITY:

See attached supplemental sheet

DESCRIBE PROPOSED USE:

See attached supplemental sheet

DESCRIBE ANY POSSIBLE ALTERNATIVES TO THE PROPOSED ACTIVITY TO AVOID OR MINIMIZE IMPACTS TO WETLANDS AND/OR STREAMS: e.g. use of an upland site; alternate design plans

There are no alternatives to the proposed activity. Clean sand and gravel material are only available from the river bottom and is only accessible by dredging. There are no known upland open pit surface mining areas that could provide this type material or if available could be mined with less environmental impacts to air, water and land resources.

For unavoidable impacts, please attach a copy of a mitigation plan that has been developed in accordance with Division of Water's mitigation requirements (see attachment).
Proposed dredge operations will be conducted in compliance with all conditions, restrictions, and requirements of Louisville District C&E Gen. Permit No. 32 for commercial dredging operations and associated floating.

If fill is required, is the project water dependent? ☒ Yes ☐ No
No fill is required. Proposed activity is water dependent.

If fill is to be placed, describe the type, composition and quantity:

No dredged or fill material will be discharged or deposited. Minor discharges back to river will consist of slurry return water from dredge.

DESCRIBE METHOD OF CONTAINING DREDGED MATERIAL TO PREVENT RE-ENTRY INTO ANY WATERWAY OR WETLAND:

No on-board washing or processing other than gravity separation of sand and gravel material will be conducted. Minor discharges back to the river will consist of return water and unused slurry material pumped from the river bottom by suction dredge.

DESCRIBE METHODS OF PREVENTING WATER QUALITY DEGRADATION:

Every effort will be made to minimize adverse air, water, and land environmental impacts through the use of modern equipment and state-of-the-art technology. All operations will be conducted from floating plant equipment with no shoreline or land contact or disturbance. All activities will be in compliance with C&E G.P. No. 32 in order to avoid or minimize adverse environmental impacts.

IS ANY PORTION OF THE REQUESTED PROJECT NOW COMPLETE? ☐ Yes ☒ No
If yes, identify the completed portion on the drawings you submit and indicate the date activity was completed.

DATE ACTIVITY WILL COMMENCE IF PERMIT IS ISSUED: 2010 COMPLETION DATE: coincide with C&E G.P. dates

Attach standard size drawings between 8.5" X 11" to 24" X 36" of the proposed activity using plan, profile and sectional views that clearly illustrate scale, north arrow, water pollution control measures, existing and proposed structures and their dimensions, water depths and bottom configurations, existing and proposed waterway configurations and elevations, dredge cuts and fills, and ordinary highwater lines. Also, provide photographs of the proposed project site, including any wetlands and upstream and downstream views.

READ CAREFULLY BEFORE SIGNING

Application is hereby made for a water quality certification to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true and accurate. I certify that I have the authority to undertake the activities proposed in the application. By signing this application, I understand and agree to allow representatives of the Department for Environmental Protection to enter upon said property in order to inspect the proposed project. I understand that the granting of other permits by local, state or federal agencies does not release me from the requirements of obtaining the certification requested hereon before commencing the project.

APPLICANT'S SIGNATURE:

James R. Hunte

DATE:

6-3-09

Description of Proposed Activity

Proposed activity will consist of a commercial dredging operation to extract sand and gravel from the bed of the Ohio River within the Commonwealth of Kentucky. All dredge operations and related activities will be conducted in compliance with COE Louisville District General Permit No. 032 for commercial sand and gravel dredging operations and associated fleeting areas. Equipment will consist of a cutterhead suction dredge and related barge and towing equipment. Dredged material will be separated and placed into barges for shipment and off-loading at the applicant's existing river terminal located at Mile 175.3, left bank, Cumberland River at Nashville, Tennessee, or other approved river terminals. No on-board washing or processing other than gravity separation of material will be conducted. Minor discharges back to the river will consist of return water and unused slurry material pumped from the river bottom during the dredge operation. Applicant will utilize existing approved fleeting areas currently operated and maintained by other commercial river operations; specifically James Marine, United Barge Line, and McGinnis, Inc. No more than 12 barges will be on-site and/or at fleeting area at any one time.

Project Purpose and Proposed Use

Purpose of proposed activity is to extract sand and gravel material from the river bottom utilizing a commercial suction dredge. Material will be sold commercially for primary use as raw construction material in the building industry. Estimated annual dredge tonnage is approximately 1,000,000 tons per year. If approved, the dredge operation would commence in the year 2010 and continue as long as profitable.

Hunter Marine Transport, Inc.
Proposed Dredge Sites
Ohio River

Left Descending (South) Bank Locations

<u>River Mile Locations</u>	<u>County, State</u>
924.5 - 931.5	Livingston, Ky.
935.5 - 936.3	McCracken, Ky.
940.1 - 943.9	McCracken, Ky.
950.0 - 956.0	McCracken, Ky.

Right Descending (North) Bank Locations

<u>River Mile Locations</u>	<u>County, State</u>
924.0 - 927.0	Livingston, Ky.
930.5 - 932.5	Livingston, Ky.
934.5 - 936.3	McCracken, Ky.
949.5 - 956.0	McCracken, Ky.

- See attached Ohio River navigation charts
- All requested sites have been dredged within last 5 years
- No requested sites are located within any excluded areas listed in Louisville District COE GP No. 32.

JAMES E. BICKFORD
SECRETARY



PAUL E. PATTON
GOVERNOR

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
FRANKFORT OFFICE PARK
14 REILLY RD
FRANKFORT KY 40601

October 2, 2001

James Hunter
Hunter Marine Transport, Inc.
PO Box 90025
Nashville, TN 37209

RE: Water Quality Certification #2001-0096-1,
Dredging of Sand and Gravel in the Ohio River
under GP-032, McCracken/Livingston Counties

Dear Mr. Hunter:

Pursuant to Section 401 of the Clean Water Act (CWA), the Commonwealth of Kentucky certifies it has reasonable assurances that applicable water quality standards under Kentucky Administrative Regulations Title 401, Chapter 5, established pursuant to Sections 301, 302, 303, 304, 306, and 307 of the CWA, will not be violated by the above project, provided that the following conditions are met:

1. The work approved by this certification shall be limited to:
 - The dredging of sand and gravel from selected locations in the Ohio River for commercial retail sale.
 - The Ohio River from Mile 940.5 to 943.5 is designated as an Outstanding Resource Water due to the presence of endangered mussel species. No dredging may occur in this area.
2. All work performed under this certification shall adhere to the design and specifications set forth in the provisions of General 404 Permit #032 of the Louisville District dated January 1, 1996.
3. To the degree practicable, no instream work shall occur within 1000 feet directly upstream of an island, shoal or area less than nine (9) feet deep during the fish spawning season of April 15 through June 15.



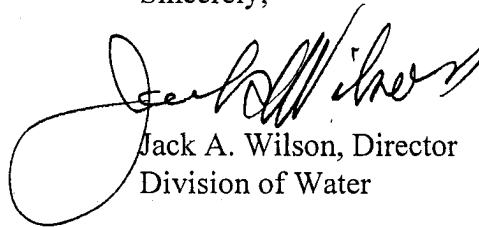
Printed on Recycled Paper
An Equal Opportunity Employer M/F/D

James Hunter
Page Two
October 2, 2001

4. The Division of Water reserves the right to modify or revoke this certification should it be determined that the activity is in noncompliance with any condition set forth in this certification.
5. This certification will expire on December 31, 2005.

If you should have any questions concerning the conditions of this water quality certification, please contact John Dovak of my staff by calling 502/564-3410.

Sincerely,



Jack A. Wilson, Director
Division of Water

JAW:JLD:jd

cc: Frank DeGott, COE: Louisville
Eric Sommerville, EPA: Atlanta
Ed Carroll, DOW: Madisonville Regional Office

DEPARTMENT OF THE ARMY

U.S. ARMY ENGINEER DISTRICT, LOUISVILLE

CORPS OF ENGINEERS

P.O. BOX 59

LOUISVILLE, KENTUCKY 40201-0059

August 20, 2001

Operations Division
Regulatory Branch (South)
ID No. 200101035-fjd

Mr. Ron Hunter
President
Hunter Marine Transport, Inc.
P.O. Box 90025
Nashville, Tennessee 37209

Dear Mr. Hunter:

This is in response to your application for a Department of the Army permit dated July 30, 2001. The application requested authorization for the extraction of sand and gravel, including associated fleeting.

General Permit No. GP-032, ID No. 199401422, dated January 1, 1996, authorizes commercial sand and gravel dredging in the Ohio River within the Louisville District boundaries, except for areas that are excluded under this General Permit. We have determined that your sand and gravel dredging, if accomplished in accordance with the enclosed General and Special Conditions, would be consistent with General Permit GP-032.

The authorization number to be displayed in accordance with Special Condition "f" is GP-032-1035.

The first report required by Special Condition "j" is due **December 31, 2001**. Subsequent reports should cover 6-month periods.

In reference to Special Condition "k," please submit the current location of each dredge. Additional reports would only be necessary when a dredge move to a new location.

Copies of this letter will serve as notice to the various State and Federal agencies and to your authorized agent (see enclosed list for addresses) that your dredging would be authorized to extract sand and gravel in accordance with the Conditions of GP-032.

Sincerely,

Frank J. DeGott
Regulatory Specialist
Regulatory Branch

2



HUNTER MARINE TRANSPORT, INC.

BARGE TRANSPORTATION AND BARGE TERMINALS

P. O. BOX 90025 • NASHVILLE, TENNESSEE 37209 • 615 352-6935

FAX • 615 356-5168

January 15, 2002

Ms. Tracy Mitchell
Livingston County Tax Administrator
P.O. Box 48
Smithland, KY 42081

Dear Ms. Mitchell:

This confirms your recent conversations with our engineering consultant, Mr. Joseph R. Castleman, concerning our proposed sand and gravel dredging operation on the Ohio River. The dredging activity is currently in the planning stages and represents a new venture for our company. If determined feasible, dredging could commence sometime during this calendar year.

As explained by Mr. Castleman, we have recently obtained the required State and Federal regulatory permits from the Commonwealth of Kentucky, Division of Water, and the U.S. Army Corps of Engineers, Louisville District, to conduct commercial dredging operations at various locations on the Ohio River. Portions of the approved dredge areas are located within Livingston County and it is our understanding that the County will require certain business, payroll and/or royalty taxes for this operation. In this regard, this is our commitment to fully comply with all local and county requirements including financial considerations. Prior to any work we will notify the appropriate county officials of our future plans, schedules and business activities and provide any requested information or reports necessary for payment of required revenues.

If our interpretation of these procedures is incorrect or if you have any questions please contact me personally or Mr. Glenn Hendon at the above address or telephone number. Mr. Castleman can be reached at 13302 Old Hickory Blvd., Antioch, TN 37013 or Telephone (615) 941-1079. We appreciate your assistance and look forward to working with you in this endeavor.

Sincerely,

James R. Hunter
President



HUNTER MARINE TRANSPORT, INC.

BARGE TRANSPORTATION AND BARGE TERMINALS

P. O. BOX 90025 • NASHVILLE, TENNESSEE 37209 • 615 352-6935
FAX • 615 356-5168

January 15, 2002

Mr. Owen Lynn
McCracken County Tax Administrator
P.O. Box 2658
Paducah, KY 42002-2658

Dear Mr. Lynn:

This confirms your recent conversations with our engineering consultant, Mr. Joseph R. Castleman, concerning our proposed sand and gravel dredging operation on the Ohio River. The dredging activity is currently in the planning stages and represents a new venture for our company. If determined feasible, dredging could commence sometime during this calendar year.

As explained by Mr. Castleman, we have recently obtained the required State and Federal regulatory permits from the Commonwealth of Kentucky, Division of Water, and the U.S. Army Corps of Engineers, Louisville District, to conduct commercial dredging operations at various locations on the Ohio River. Portions of the approved dredge areas are located within McCracken County and it is our understanding that the County will require certain business, payroll and/or royalty taxes for this operation. In this regard, this is our commitment to fully comply with all local and county requirements including financial considerations. Prior to any work we will notify the appropriate county officials of our future plans, schedules and business activities and provide any requested information or reports necessary for payment of required revenues.

If our interpretation of these procedures is incorrect or if you have any questions please contact me personally or Mr. Glenn Hendon at the above address or telephone number. Mr. Castleman can be reached at 13302 Old Hickory Blvd., Antioch, TN 37013 or Telephone (615) 941-1079. We appreciate your assistance and look forward to working with you in this endeavor.

Sincerely,

James R. Hunter
President



HUNTER MARINE TRANSPORT, INC.

BARGE TRANSPORTATION AND BARGE TERMINALS

P. O. BOX 90025 • NASHVILLE, TENNESSEE 37209 • 615 352-6935
FAX • 615 356-5168

January 15, 2002

Mr. Gary Morris, Tax Consultant
Kentucky Revenue Cabinet
Tax Policy Section
200 Fair Oaks Lane, Station 8
Frankfort, KY 40620

Dear Mr. Morris:

This confirms your recent conversations with our engineering consultant, Mr. Joseph R. Castleman, concerning our proposed sand and gravel dredging operation on the Ohio River. The dredging activity is currently in the planning stages and represents a new venture for our company. If determined feasible, dredging could commence sometime during this calendar year.

As explained by Mr. Castleman, we have recently obtained the required State and Federal regulatory permits from the Commonwealth of Kentucky, Division of Water, and the U.S. Army Corps of Engineers, Louisville District, to conduct commercial dredging operations at various locations on the Ohio River. All of the approved dredge areas are located within the Commonwealth of Kentucky and it is our understanding that the State will require a corporate income tax and a mineral severance tax for this operation. In this regard, this is our commitment to fully comply with all State requirements including financial considerations. Prior to any work we will notify the appropriate State officials of our future plans, schedules and business activities and submit the completed forms previously furnished to Mr. Castleman necessary for payment of required revenues.

If our interpretation of these procedures is incorrect or if you have any questions please contact me personally or Mr. Glenn Hendon at the above address or telephone number. Mr. Castleman can be reached at 13302 Old Hickory Blvd., Antioch, TN 37013 or Telephone (615) 941-1079. We appreciate your assistance and look forward to working with you in this endeavor.

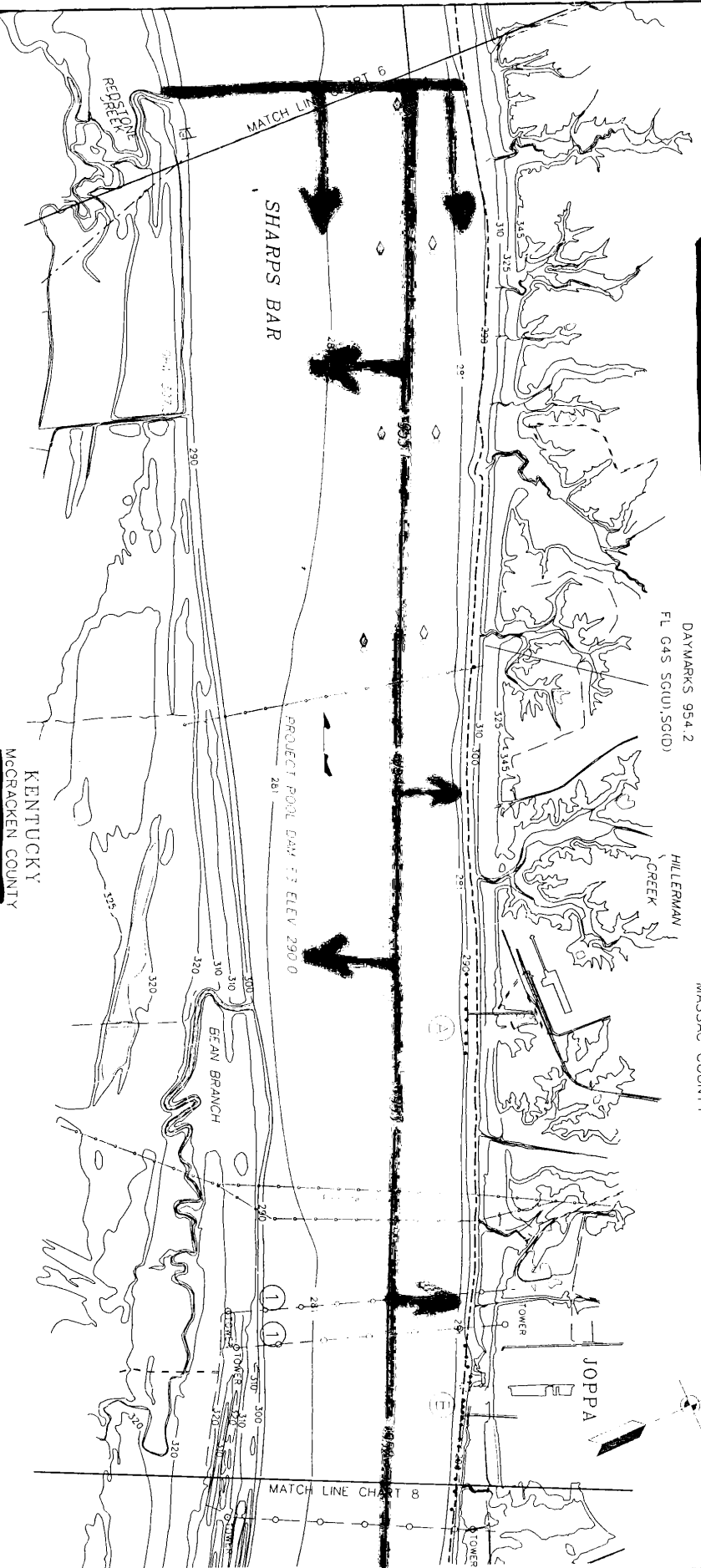
Sincerely,

James R. Hunter
President

949.5 - 956.0
North Bank

SHARPS BAR LIGHT &
DAYMARKS 954.2
FL 045 SC(U),SC(D)

ILLINOIS
MASSAC COUNTY



- BALLARD COUNTY
- ① AERIAL POWER LINES V/C 121.2' @ P.P.
 - ② LAFARGE CEMENT CORPORATION
 - ③ JOPPA STEAM POWER PLANT
 - ④ AND INDUSTRIAL INTAKE

950.0 - 956.0
South Bank

OHIO RIVER
0 2000 4000

SCALE: 1"=2000'
REVISED: 2002
CHART NO. 7

949.5 - 956.0
North Bank

ILLINOIS
MASSAC COUNTY

JOPPA

MATCH LINE CHART 7

①

① AERIAL POWER LINE V/O 1212 @ P.P.

950.0 - 956.0
South Bank

PROJ. POOL DAM 53 ELEV 290.0

OHIO 302.0

KENTUCKY
MCCRACKEN COUNTY

LITTLE CHAIN BAR

BAYOU CREEK

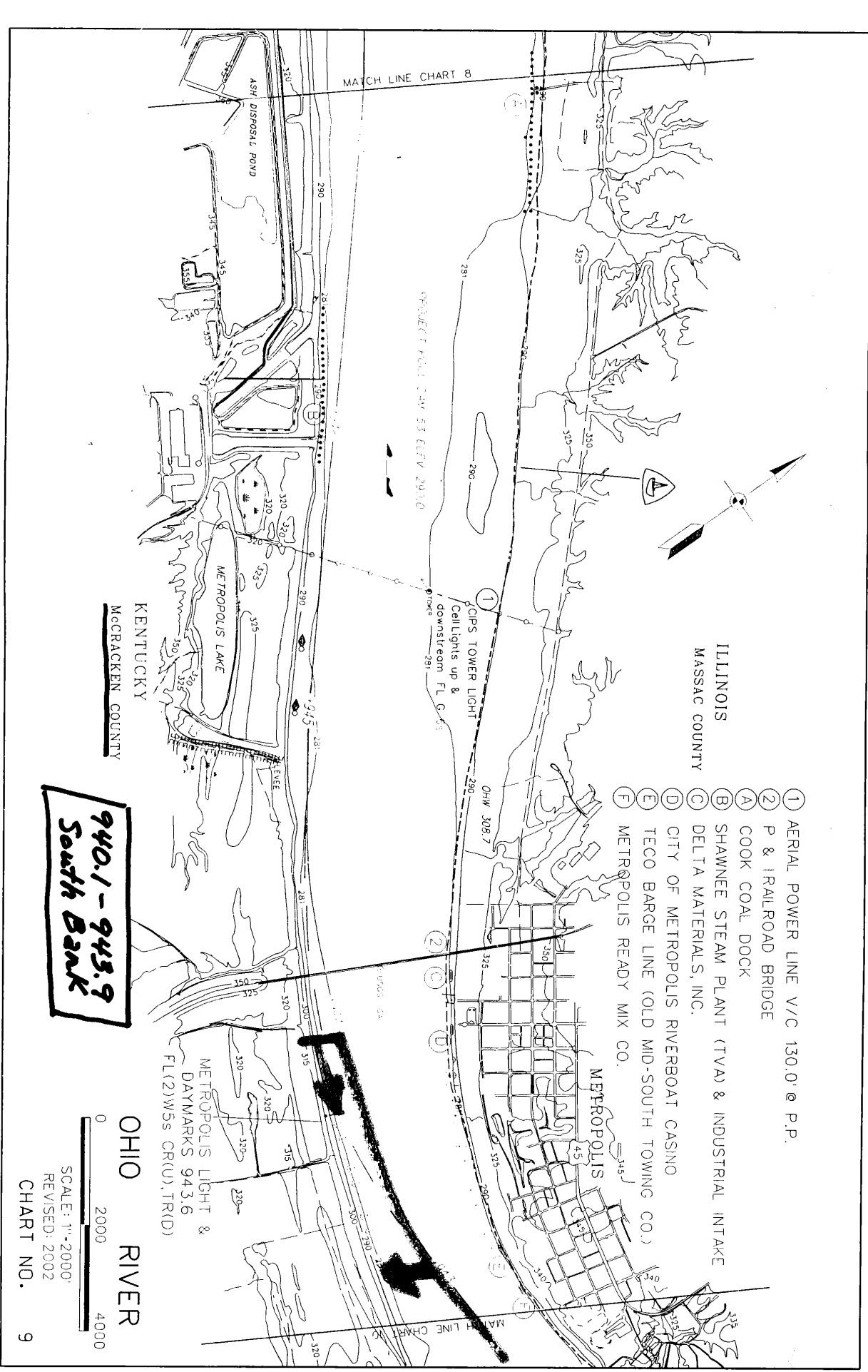
LITTLE BAYOU CREEK

ASH DISPOSAL POND

MATCH LINE CHART 8

OHIO RIVER
0 2000 4000

SCALE: 1"=2000'
REVISED: 2002
CHART NO. 8



ILLINOIS
MASSAC COUNTY

- ① AERIAL POWER LINE V/C 130.0' @ P.P.
- ② P & I RAILROAD BRIDGE
- ③ COOK COAL DOCK
- ④ SHAWNEE STEAM PLANT (TVA) & INDUSTRIAL INTAKE
- ⑤ DELTA MATERIALS, INC.
- ⑥ CITY OF METROPOLIS RIVERBOAT CASINO
- ⑦ TECO BARGE LINE (OLD MID-SOUTH TOWING CO.)
- ⑧ METROPOLIS READY MIX CO.

METROPOLIS

① GPS TOWER LIGHT
Cell lights up &
downstream FL G-55

PROJECT POINT 244 53 ELEV 293.0

MATCH LINE CHART 8

MATCH LINE CHART 9

ASH DISPOSAL POND

METROPOLIS LAKE

METROPOLIS LIGHT &
DAYMARKS 943.6
FL(2)WS CR(U), TR(D)

KENTUCKY
McCRACKEN COUNTY

940.1 - 943.9
South Bank

OHIO RIVER

0 2000 4000

SCALE: 1"=2000'
REVISED: 2002
CHART NO. 9

ILLINOIS
MASSAC COUNTY

DAM NO. 52

MI 938.9

TELEPHONE 618-564-3151

For Lock Information use
Marine Radio Channel 13

940.1-943.9
South Bank

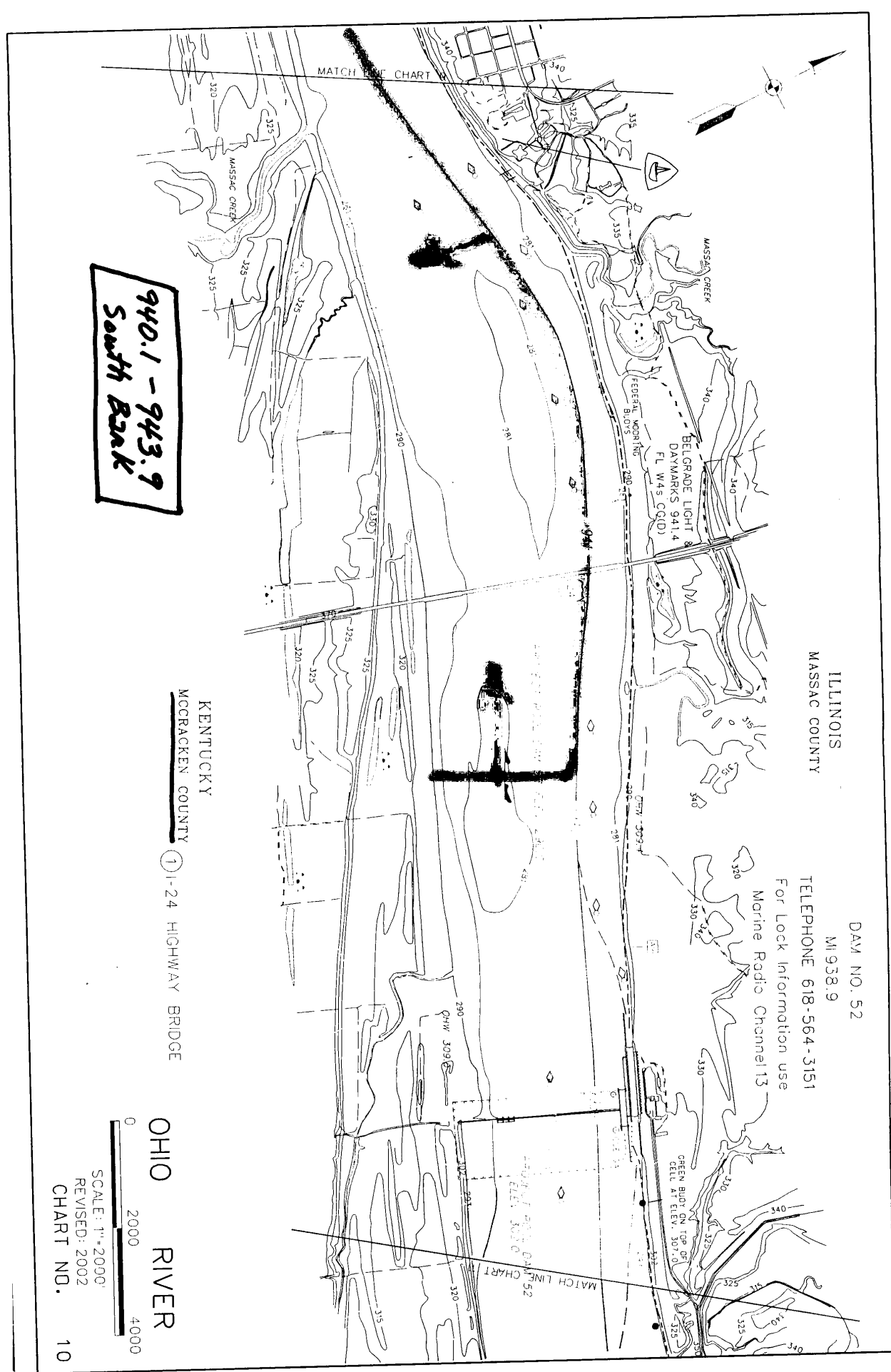
KENTUCKY
MCCRACKEN COUNTY

① I-24 HIGHWAY BRIDGE

OHIO RIVER

0 2000 4000

SCALE: 1"=2000'
REVISED: 2002
CHART NO. 10



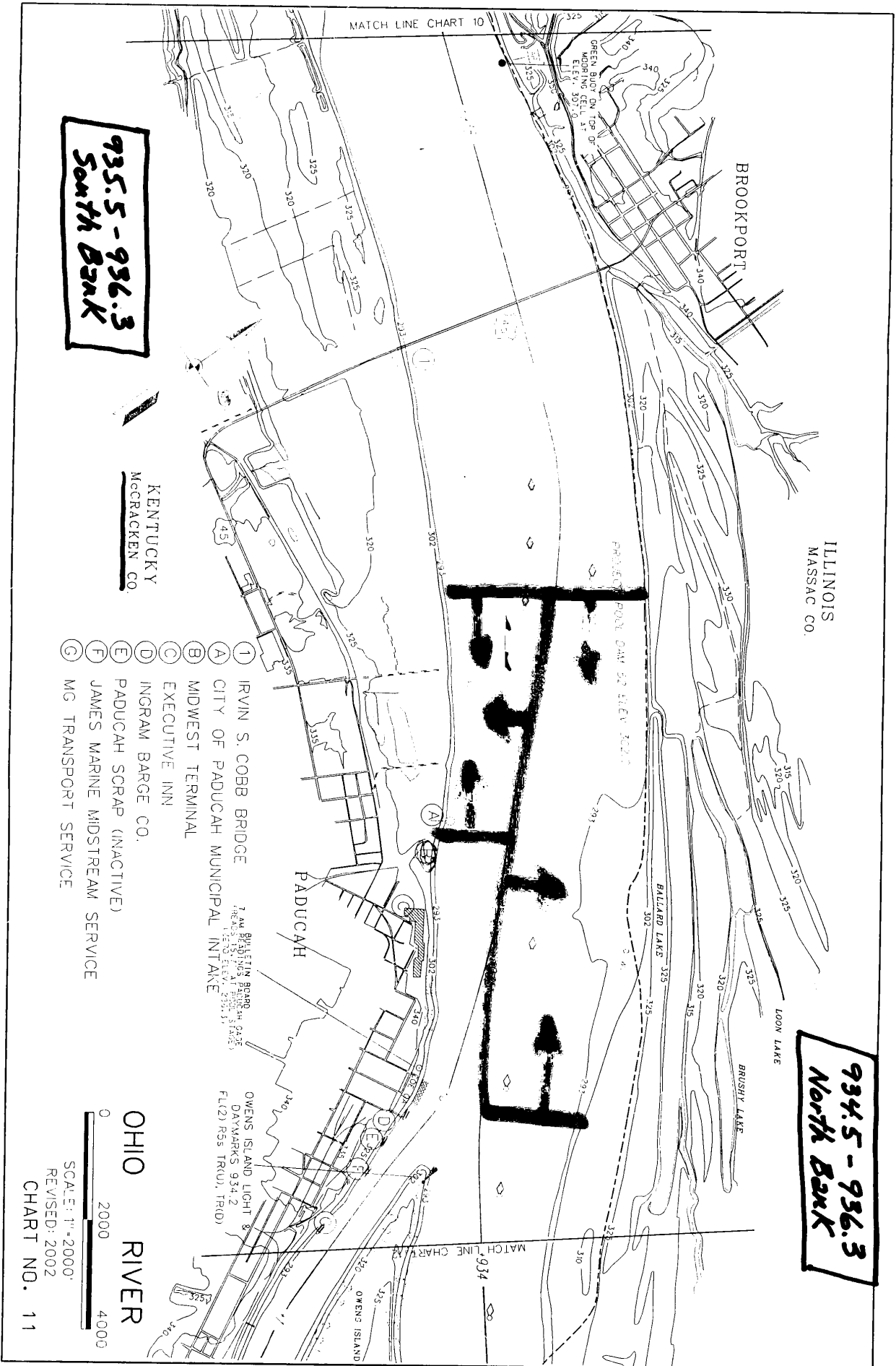
935.5 - 936.3
South Bank

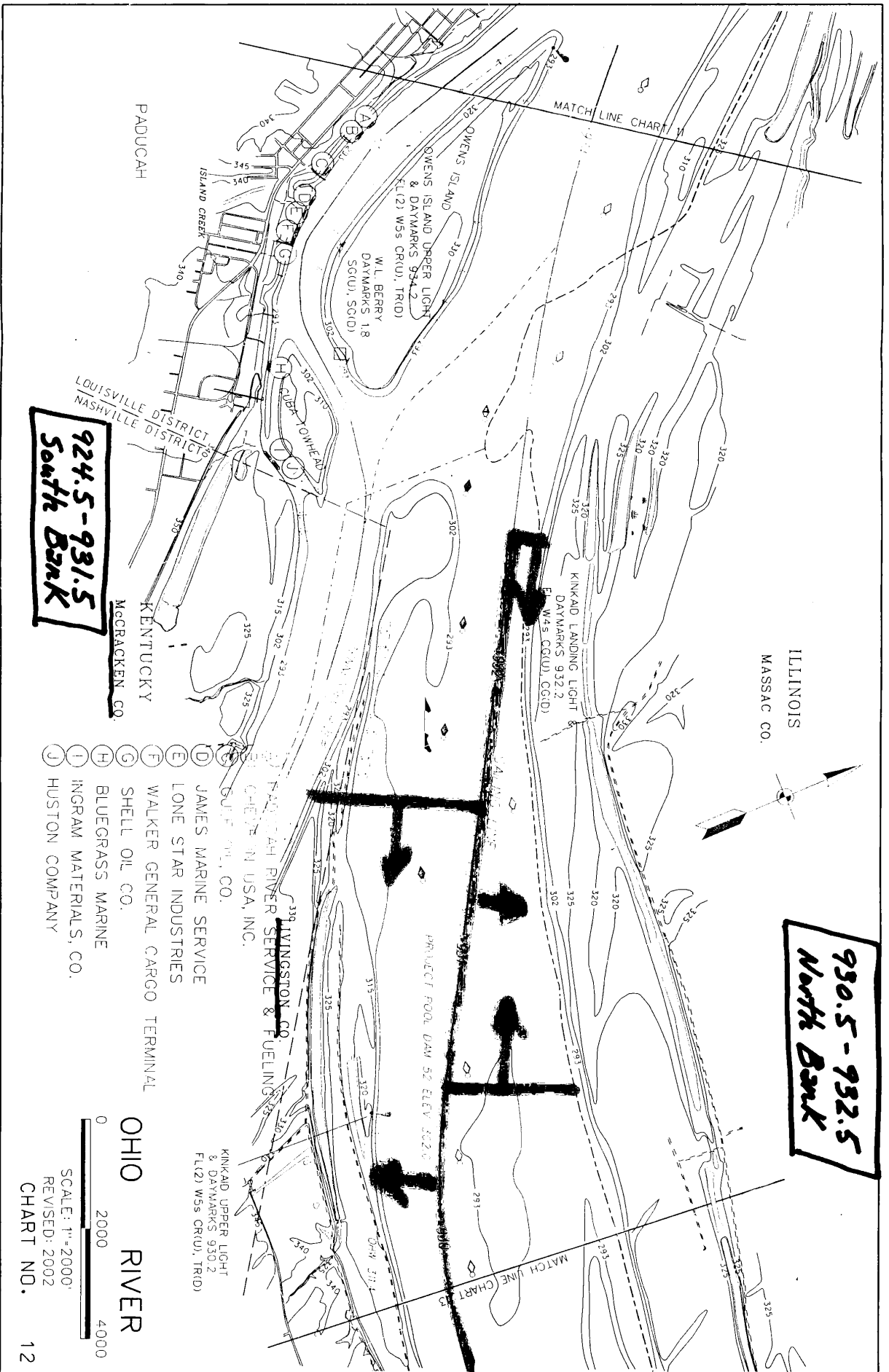
- KENTUCKY
McCRACKEN CO.
- ① IRVIN S. COBB BRIDGE
 - ② CITY OF PADUCAH MUNICIPAL INTAKE
 - ③ MIDWEST TERMINAL
 - ④ EXECUTIVE INN
 - ⑤ INGRAM BARGE CO.
 - ⑥ PADUCAH SCRAP (INACTIVE)
 - ⑦ JAMES MARINE MIDSTREAM SERVICE
 - ⑧ MG TRANSPORT SERVICE

OHIO RIVER

0 2000 4000

SCALE: 1"=2000'
REVISED: 2002
CHART NO. 11





924.0-927.0
North Bank

ILLINOIS

- (A) INGRAM MATERIALS CO.
- (B) PARRISH LANDING BOAT DOCK

MASSAC CO.

POPE CO.

COTTONWOOD BAR

TOA LINE CHART 12

MATCH LINE CHART 14

924.5-931.5
South Bank

LEDBETTER LIGHT &
DAYMARKS 928.4
FL(2) W5S TR(U), CR(D)

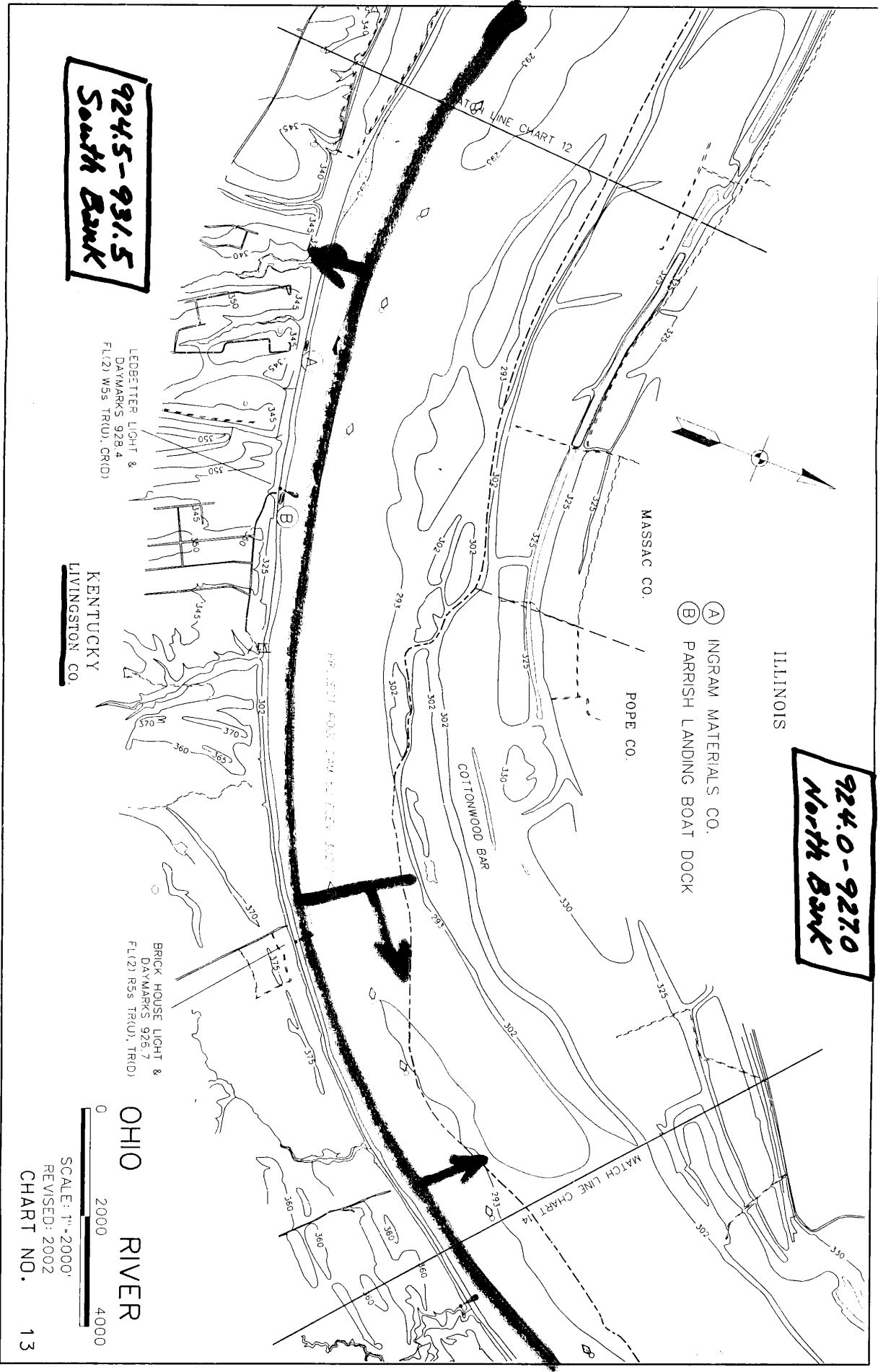
KENTUCKY
LIVINGSTON CO.

BRICK HOUSE LIGHT &
DAYMARKS 926.7
FL(2) R5S TR(U), TR(D)

OHIO RIVER



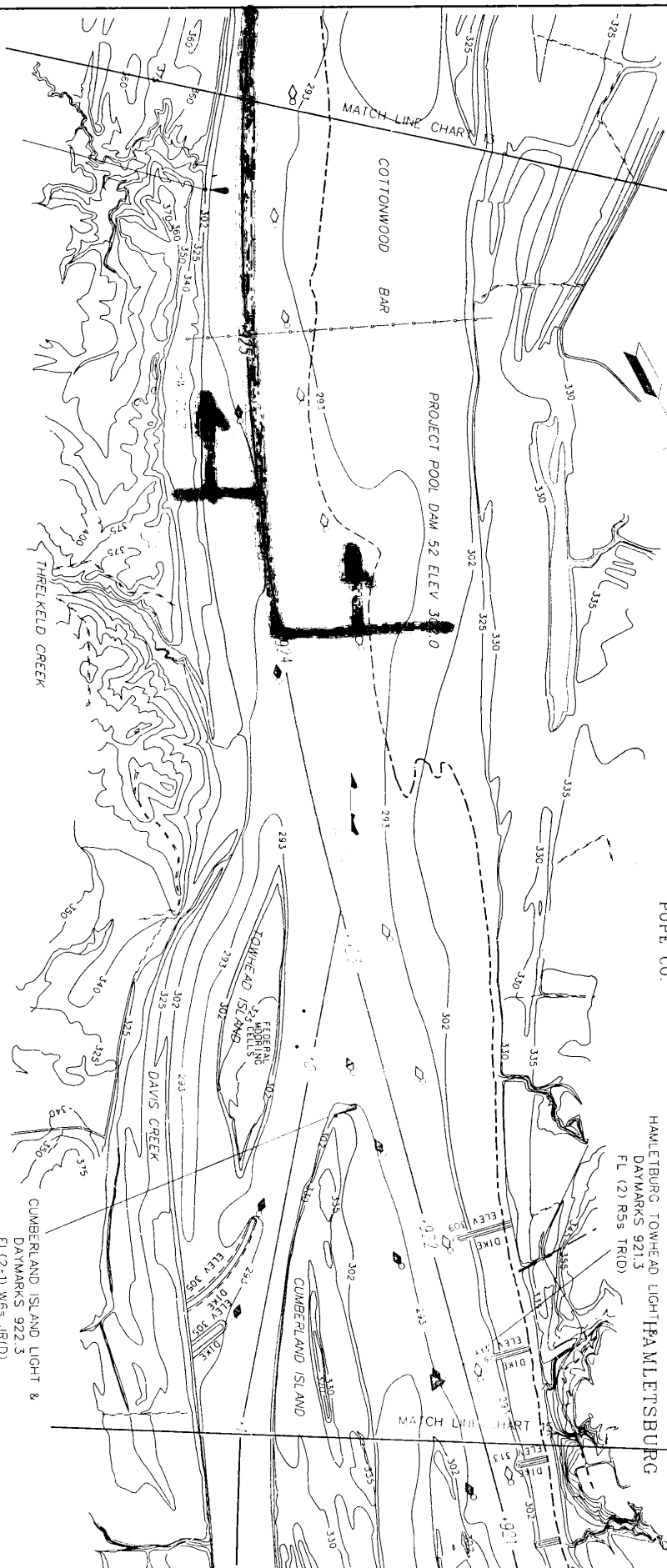
SCALE: 1"=2000'
REVISED: 2002
CHART NO. 13



924.0-927.0
North Bank

ILLINOIS
POPE CO.

HAMLETBURG TOWHEAD LIGHT
DAYMARKS 921.3
FL (2) RSs TRID)



CUMBERLAND BAR LIGHT &
DAYMARKS 925.5
FL(2) W5s CR(U) TRID)

924.5-931.5
South Bank

KENTUCKY
LIVINGSTON CO.

OHIO RIVER



SCALE: 1"=2000'
REVISED: 2002
CHART NO. 14